

DATED MATERIAL – OPEN IMMEDIATELY

**Closing Date:
January 18, 2006**

Fiscal Year 2006

**GRANT APPLICATION
FOR THE**

**NATIVE AMERICAN AND ALASKA NATIVE CHILDREN
IN SCHOOL PROGRAMS**

CFDA No. 84.365C
OMB No. 1890-0009
Expiration Date: 6/30/2008



**U.S. Department of Education
Washington, DC 20202**

**Office of English Language Acquisition, Language Enhancement
and Academic Achievement for Limited English Proficient Students**

PAPERWORK BURDEN STATEMENT

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

The valid OMB control number for this information collection is 1890-0009.

Expiration date: 6/30/2008. The time required to complete this information collection is estimated to average 25 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection.

If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4651. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: Native American and Alaska Native Children in School Program, U.S. Department of Education, 400 Maryland Avenue, S.W., PCP Room 10080, Washington, D.C. 20202-6510.

NATIVE AMERICAN AND ALASKA NATIVE CHILDREN IN SCHOOL PROGRAM

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SECTION A

DEAR COLLEAGUE LETTER

Dear Colleague:

Thank you for your interest in the Native American And Alaska Native Children In School Program competition. This program is designed to promote systemic approaches to improving English language and academic achievement learning in school.

The enclosed materials include the forms you will need to complete your application, instructions for completing the forms, and additional information that you will need to complete the application. Applicants should organize the application contents, including the program narrative, in accordance with the instructions provided in Section C of this package.

You may request funding for a multi-year award of up to 60 months. If you do request a multi-year award, you must explain why a multi-year project is needed and must provide objectives, activities, and a detailed budget for each year of the proposed project. If you are selected for an award the Department will establish, at the same time of the initial award, the funding level for each year of the grant.

Future continuation awards will rely heavily on the annual performance reports, which must be submitted before each year of continued funding. We will provide specific reporting requirements to funded applicants at a later date.

Applicants should pay careful attention to the Performance Measures listed in the Application Notice found in Section B of the application package, and consider the measure in planning program objectives, activities and evaluation.

If you are submitting electronically

We are encouraging you to submit your application electronically. Electronic copies must be uploaded on Grants.gov by 4:30 pm, Washington DC time on the closing date and then processed by Grants.gov successfully. For additional information on electronic submission procedures, see the Grants.gov Submission Procedures and Tips for Applicants - Section C. A copy of your application must not be emailed directly to the Department. If you choose to submit your application electronically, you must submit it via Grants.gov. We strongly suggest that you carefully check your submission to ensure that you have attached the correct files in the appropriate fields.

Also, it is important to note that project narratives that exceed the page limit will not be reviewed. If you have questions about these or any other program requirement, please call or e-mail Trini Torres at (202) 245-7134 or Trinidad.torres-carrion@ed.gov or Robert Trifiletti at (202) 245-7118 or Robert.trifiletti@ed.gov

We look forward to receiving your application and appreciate your efforts to improve foreign language learning.

Sincerely,

for

Kathleen Leos
Assistant Deputy Secretary and Director,
Office of English Language Acquisition,
Language Enhancement, and Academic Achievement

Limited English Proficient Students

SECTION B

LEGAL AND REGULATORY DOCUMENTS

- **APPLICATION NOTICE**
- **AUTHORIZING STATUTE**

4000-01-U

DEPARTMENT OF EDUCATION

Office of English Language Acquisition, Language Enhancement, and Academic
Achievement for Limited English Proficient Students

Overview Information

Native American and Alaska Native Children in School Program

Notice inviting applications for new awards for fiscal year (FY)
2006.

Catalog of Federal Domestic Assistance (CFDA) Number: 84.365C

Dates:

Applications Available: December 7, 2005.

Deadline for Notice of Intent to Apply: December 30, 2005.

Deadline for Transmittal of Applications: January 18, 2006.

Deadline for Intergovernmental Review: March 18, 2006.

Eligible Applicants: The following entities, when they operate elementary, secondary, and postsecondary schools primarily for Native American children (including Alaska Native children), are eligible applicants under this program: Indian tribes; tribally sanctioned educational authorities; Native Hawaiian or Native American Pacific Islander native language educational organizations; elementary schools or secondary schools that are operated or funded by the Bureau of Indian Affairs (BIA), or a consortium of such schools; elementary schools or secondary schools operated under a contract with or grant from the BIA in consortium with another such school or a tribal or community organization; and elementary schools or secondary schools operated by the BIA and an institution of

higher education (IHE), in consortium with elementary schools or secondary schools operated under a contract with or a grant from the BIA or a tribal or community organization.

Note: Any eligible entity that receives Federal financial assistance under this program is not eligible to receive a subgrant under section 3114 of Title III of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (Pub. L. 107-110) (NCLB).

Note: Eligible applicants seeking to apply as a consortium should read and follow the regulations in 34 CFR 75.127 through 75.129.

Estimated Available Funds: \$4,950,000.

Estimated Range of Awards: \$100,000-\$175,000.

Estimated Average Size of Awards: \$150,000.

Estimated Number of Awards: 33.

Note: The Department is not bound by any estimates in this notice.

PROJECT PERIOD: UP TO 60 MONTHS.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The purpose of this program is to provide grants for eligible entities to develop high levels of academic attainment in English among limited English proficient (LEP) children, and to promote parental and community participation in language instruction educational programs.

Priorities: Under this competition we are particularly interested in applications that address the following priorities.

Invitational Priorities: For FY 2006 these priorities are invitational priorities. Under 34 C.F.R. 75.105(c)(1) we do not give an application that meets these invitational priorities a competitive or absolute preference over other applications.

These priorities are:

Invitational Priority 1. Applications that propose to prepare teachers to more effectively involve parents and community groups in school improvement.

Invitational Priority 2. Applications that propose instructional services at the secondary school level that are designed to reduce the high school drop-out rate of LEP students.

Program Authority: 20 U.S.C. 6821(c)(1)(A)-6822.

Applicable Regulations: The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 85, 86, 97, and 99.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

Note: The regulations in 34 CFR part 86 apply to IHEs only.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: \$4,950,000.

Estimated Range of Awards: \$100,000-\$175,000.

Estimated Average Size of Awards: \$150,000.

Estimated Number of Awards: 33.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

III. ELIGIBILITY INFORMATION

1. Eligible Applicants: The following entities, when they operate elementary, secondary, and postsecondary schools primarily for Native American children (including Alaska Native children), are eligible applicants under this program: Indian tribes; tribally sanctioned educational authorities; Native Hawaiian or Native American Pacific Islander native language educational organizations; elementary schools or secondary schools that are operated or funded by the BIA, or a consortium of such schools; elementary schools or secondary schools operated under a contract with or grant from the BIA in consortium with another such school or a tribal or community organization; and elementary schools or secondary schools operated by the BIA and an IHE, in consortium with elementary schools or secondary schools operated under a contract with or a grant from the BIA or a tribal or community organization.

Note: Any eligible entity that receives Federal financial assistance under this program is not eligible to receive a subgrant under section 3114 of Title III of the ESEA, as amended by NCLB.

Note: Eligible applicants applying as a consortium should read and follow the regulations in 34 CFR 75.127 through 75.129.

2. Cost Sharing or Matching: This competition does not involve cost sharing or matching.

IV. Application and Submission Information

1. Address to Request Application Package: Patrice Swann, U.S. Department of Education, 400 Maryland Ave, SW., Potomac Center

Plaza, room 10070, Washington, DC 20202-6510. Telephone: (202) 245-7130, or by e-mail: patrice.swann@ed.gov

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1-800-877-8339.

Individuals with disabilities may obtain a copy of the application package in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) by contacting the program contact person listed in this section.

2. Content and Form of Application Submission: Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this program. Notice of Intent to Apply: If you intend to apply for a grant under this competition, contact Patrice Swann: Telephone: (202) 245-7130 or by e-mail: patrice.swann@ed.gov

Note: We do not consider an application that does not comply with the deadline requirements. However, we will consider an application submitted by the deadline date for transmittal of applications, even if the applicant did not provide us notice of its intent to apply.

Page Limit: The application narrative (Part III of the application) is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. You must limit Part III to the equivalent of no more than 35 pages using the following standards.

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.

- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.

- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).

The page limit does not apply to Part I, the cover sheet; Part II, the budget section, including the narrative budget justification; Part IV, the assurances and certifications; or the one-page abstract. However, you must include all of the application narrative in Part III.

We will reject your application if--

- You apply these standards and exceed the page limit;

or

- You apply other standards and exceed the equivalent of the page limit.

3. Submission Dates and Times:

Applications Available: December 7, 2005.

Deadline for Notice of Intent to Apply: December 30, 2005.

Deadline for Transmittal of Applications: January 18, 2006.

Applications for grants under this program may be submitted electronically using the Grants.gov Web site (Grants.gov), or in paper format by mail or hand delivery. For information (including dates and times) about how to submit your application electronically, or by mail or hand delivery, please refer to section IV. 6. Other Submission Requirements in this notice.

Deadline for Intergovernmental Review: March 18, 2006.

4. Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal programs under Executive Order 12372 is in the application package for this competition.

5. Funding Restrictions: We reference regulations outlining funding restrictions in the Applicable Regulations section of this notice.

6. Other Submission Requirements: Applications for grants under this competition may be submitted electronically or in paper format by mail or hand delivery.

a. Electronic Submission of Applications.

We have been accepting applications electronically through the Department's e-Application system since FY 2000. In order to expand on those efforts and comply with the President's Management Agenda, we are continuing to participate as a partner in the new government wide Grants.gov Apply site in FY 2006. The Native American and Alaska Native Children in School Program-CFDA Number 84.365C is one of the programs included in this project. We request your participation in Grants.gov.

If you choose to submit your application electronically, you must use the Grants.gov Apply site at <http://www.Grants.gov>. Through this site, you will be able to download a copy of the application package, complete it offline, and

then upload and submit your application. You may not e-mail an electronic copy of a grant application to us.

You may access the electronic grant application for The Native American and Alaska Native Children in School Program at: <http://www.Grants.gov>. You must search for the downloadable application package for this program by the CFDA number. Do not include the CFDA number's alpha suffix in your search.

Please note the following:

- Your participation in Grants.gov is voluntary.
- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are time and date stamped. Your application must be fully uploaded and submitted and must be date/time stamped by the Grants.gov system no later than 4:30 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not consider your application if it is date/time stamped by the Grants.gov system later than 4:30 p.m., Washington, DC time, on the application deadline date. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date/time stamped by the Grants.gov system after 4:30 p.m., Washington, DC time, on the application deadline date.
- The amount of time it can take to upload an application will vary depending on a variety of factors including the size of the application and the speed of your Internet connection. Therefore,

we strongly recommend that you do not wait until the application deadline date to begin the application process through Grants.gov.

- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this competition to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov at <http://e-Grants.ed.gov/help/GrantsgovSubmissionProcedures.pdf>

- To submit your application through Grants.gov, you must complete the steps in the Grants.gov registration process (see <http://www.Grants.gov/GetStarted>) and provide on your application the same D-U-N-S number used with the registration. Please note that the registration process may take five or more business days to complete.

- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you submit your application in paper format.

- You may submit all documents electronically, including all information typically included on the Application for Federal Education Assistance (ED 424), Budget Information--Non-Construction Programs (ED 524), and all necessary assurances and certifications. If you choose to submit your application electronically, you must attach any narrative sections of your application as files in a .DOC (document), .RTF (rich text) or .PDF (Portable Document) format. If you upload a file type other than the three file types specified

above or submit a password protected file, we will not review that material.

- Your electronic application must comply with any page limit requirements described in this notice.

- After you electronically submit your application, you will receive an automatic acknowledgement from Grants.gov that contains a Grants.gov tracking number. The Department will retrieve your application from Grants.gov and send you a second confirmation by e-mail that will include a PR/Award number (an ED-specified identifying number unique to your application).

- We may request that you provide us original signatures on forms at a later date.

Application Deadline Date Extension in Case of System

Unavailability:

If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically, or by hand delivery. You also may mail your application by following the mailing instructions as described elsewhere in this notice. If you submit an application after 4:30 p.m., Washington, DC time, on the deadline date, please contact the person listed elsewhere in this notice under For Further Information Contact, and provide an explanation of the technical problem you experienced with

Grants.gov, along with the Grants.gov Support Desk Case Number (if available). We will accept your application if we can confirm that a technical problem occurred with the Grants.gov system and that that problem affected your ability to submit your application by 4:30 p.m., Washington, DC time, on the application deadline date. The Department will contact you after a determination is made on whether your application will be accepted.

Note: Extensions referred to in this section apply only to the unavailability of or technical problems with the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

b. Submission of Paper Applications by Mail.

If you submit your application in paper format by mail (through the U.S. Postal Service or a commercial carrier), you must mail the original and two copies of your application, on or before the application deadline date, to the Department at the applicable following address:

By mail through the U.S. Postal Service:

U.S. Department of Education
Application Control Center
ATTENTION: (CFDA NUMBER 84.365C)
400 MARYLAND AVENUE, SW.
Washington, DC 20202-4260

or

By mail through a commercial carrier:

U.S. Department of Education
Application Control Center - Stop 4260

Attention: (CFDA Number 84.365C)
7100 Old Landover Road
Landover, MD 20785-1506

Regardless of which address you use, you must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark,
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service,
- (3) A dated shipping label, invoice, or receipt from a commercial carrier, or
- (4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

- (1) A private metered postmark, or
- (2) A mail receipt that is not dated by the U.S.

Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

c. Submission of Paper Applications by Hand Delivery.

If you submit your application in paper format by hand delivery, you (or a courier service) must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.365C)
550 12th Street, SW.
Room 7041, Potomac Center Plaza
Washington, DC 20202-4260

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30 p.m., Washington, DC time, except Saturdays, Sundays and Federal holidays.

Note for Mail or Hand Delivery of Paper Applications: If you mail or hand deliver your application to the Department:

(1) You must indicate on the envelope and – if not provided by the Department – in Item 4 of the Application for Federal Education Assistance (ED 424) the CFDA number – and suffix letter, if any – of the competition under which you are submitting your application.

(2) The Application Control Center will mail a grant application receipt acknowledgment to you. If you do not receive the grant application receipt acknowledgment within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

V. Application Review Information

Selection Criteria: The selection criteria for this competition are from 34 CFR 75.210 of EDGAR and section 3115 of the ESEA, as amended by NCLB. The maximum score for all of these criteria is 100 points. The maximum score for each criterion is indicated in parentheses.

(a) Project activities. (15 points) The Secretary reviews each application to determine how well the applicant proposes to carry out activities that will--

(1) Increase the English language proficiency of LEP children by providing high-quality language instruction educational programs that are based on scientifically based research demonstrating the effectiveness of the programs in increasing English proficiency and student academic achievement in core academic subjects;

(2) Provide high-quality professional development to classroom teachers (including teachers in classroom settings of language instruction educational programs), principals, administrators, and other school or community-based organizational personnel, that is --

(i) Designed to improve the quality of instruction to and assessment of LEP children;

(ii) Designed to enhance the ability of such teachers to understand and use curricula, assessment measures, and instructional strategies for LEP children; and

(iii) Based on scientifically based research demonstrating the effectiveness of the professional development in substantially increasing these teachers' subject matter knowledge, teaching knowledge, and teaching skills.

(b) Need for project. (10 points)

The Secretary considers the need for the proposed project. In determining the need for the proposed project, the Secretary considers the following factors:

(1) The magnitude or severity of the problem to be addressed by the proposed project.

(2) The magnitude of the need for the services to be provided or the activities to be carried out by the proposed project.

(3) The extent to which the proposed project will provide services or otherwise address the needs of students at risk of educational failure.

(c) Significance. (5 points)

The Secretary considers the significance of the proposed project. In determining the significance of the proposed project, the Secretary considers the importance or magnitude of the results or outcomes likely to be attained by the proposed project, especially improvements in teaching and student achievement.

(d) Quality of the project design. (15 points)

The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers the following factors:

(1) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable.

(2) The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs.

(3) The extent to which the proposed project is designed to build capacity and yield results that will extend beyond the period of Federal financial assistance.

(4) The extent to which the design of the proposed project reflects up-to-date knowledge from research and effective practice.

(5) The extent to which the proposed project is part of a comprehensive effort to improve teaching and learning and to support rigorous academic standards for students.

(6) The quality of the proposed demonstration design and procedures for documenting project activities and results.

(7) The extent to which the proposed project encourages parental involvement.

(8) The quality of the methodology to be employed in the proposed project.

(e) Quality of project personnel. (10 Points)

The Secretary considers the quality of the personnel who will carry out the proposed project. In determining the quality of project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability. In addition, the Secretary considers the following factors:

(1) The qualifications, including relevant training and experience, of the project director.

(2) The qualifications, including relevant training and experience, of key project personnel.

(3) The qualifications, including relevant training and experience, of project consultants or subcontractors.

(f) Adequacy of resources. (10 points)

The Secretary considers the adequacy of resources for the proposed project. In determining the adequacy of resources for the proposed project, the Secretary considers the following factors:

(1) The extent to which the budget is adequate to support the proposed project.

(2) The extent to which the costs are reasonable in relation to the objectives, design, and potential significance of the proposed project.

(3) The extent to which the costs are reasonable in relation to the number of persons to be served and to the anticipated results and benefits.

(g) Quality of the management plan. (15 points)

The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers the following factors:

(1) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

(2) The extent to which the time commitments of the project director and other key project personnel are appropriate and adequate to meet the objectives of the proposed project.

(3) The adequacy of procedures for ensuring feedback and continuous improvement in the operation of the proposed project.

(h) Quality of the project evaluation. (20 points)

The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers the following factors:

(1) The extent to which the methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project.

(2) The extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible.

(3) The extent to which the methods of evaluation provide for examining the effectiveness of project implementation strategies.

(4) The extent to which the methods of evaluation will provide timely guidance for quality assurance.

(5) The extent to which the methods of evaluation will provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes.

VI. Award Administration Information

1. Award Notices: If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may also notify you informally.

If your application is not evaluated or not selected for funding, we notify you.

2. Administrative and National Policy Requirements: We identify administrative and national policy requirements in the

application package and reference these and other requirements in the Applicable Regulations section of this notice.

We reference the regulations outlining the terms and conditions of an award in the Applicable Regulations section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. Reporting: At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as specified by the Secretary in 34 CFR 75.118.

4. Performance Measures: The performance measures for the Native American and Alaska Native Children in School Program are:

(1) The percentage of limited English proficiency (LEP) students in the program who make gains in English.

(2) The percentage of LEP students in the program who make gains in core academic subjects.

Grantees will be expected to report on progress in meeting these performance measures for the Native American and Alaska Native Children in School Program in their Annual Performance Report and in their Final Performance Report.

VII. Agency Contact

For Further Information Contact: Trini Torres, 400 Maryland Avenue, SW., Potomac Center Plaza, room 1082, Washington, DC 20202-6510.

Telephone: (202) 245-7134, or by e-mail: trinidad.torres-carrion@ed.gov

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the program contact person listed in this section.

VIII. Other Information

Electronic Access to This Document: You may view this document, as well as all other documents of this Department published in the Federal Register, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: www.ed.gov/news/fedregister. To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

Note: The official version of this document is the document published in the Federal Register. Free Internet access to the official edition of the Federal Register and the Code of Federal Regulations is available on GPO Access at:
www.gpoaccess.gov/nara/index.html

Dated:

Kathleen Leos,
Assistant Deputy Secretary and Director,
Office of English Language Acquisition,
Language Enhancement, and Academic Achievement
for Limited English Proficient Students.

Title III – English Language Acquisition, Language Enhancement, and Academic Achievement Act

SEC. 3112. NATIVE AMERICAN AND ALASKA NATIVE CHILDREN IN SCHOOL.

(a) ELIGIBLE ENTITIES- For the purpose of carrying out programs under this part for individuals served by elementary schools, secondary schools, and postsecondary schools operated predominately for Native American children (including Alaska Native children), the following shall be considered to be an eligible entity:

(1) An Indian tribe.

(2) A tribally sanctioned educational authority.

(3) A Native Hawaiian or Native American Pacific Islander native language educational organization.

(4) An elementary school or secondary school that is operated or funded by the Bureau of Indian Affairs, or a consortium of such schools.

(5) An elementary school or secondary school operated under a contract with or grant from the Bureau of Indian Affairs, in consortium with another such school or a tribal or community organization.

(6) An elementary school or secondary school operated by the Bureau of Indian Affairs and an institution of higher education, in consortium with an elementary school or secondary school operated under a contract with or grant from the Bureau of Indian Affairs or a tribal or community organization.

(b) SUBMISSION OF APPLICATIONS FOR ASSISTANCE-

Notwithstanding any other provision of this part, an entity that is considered to be an eligible entity under subsection (a), and that desires to receive Federal financial assistance under this subpart, shall submit an application to the Secretary.

(c) SPECIAL RULE- An eligible entity described in subsection (a) that receives Federal financial assistance pursuant to this section shall not be eligible to receive a subgrant under section 3114.

SECTION C

APPLICATION FORMS, INSTRUCTIONS, CHECKLIST AND SPOC LIST

- **APPLICATION FORMS**
- **APPLICATION ORDER, PROGRAM NARRATIVE
INSTRUCTIONS**
- **APPLICATION CHECKLIST**
- **SPOC LIST**

APPLICATION FORMS

Note: Required forms as listed below are available via the Department of Education's website at:

http://www.ed.gov/fuund/grant/apply_appforms/appforms.html

Application for Federal Assistance Cover Page (ED 424 if applying in paper) and instructions (SF424 and ED Supplement if applying electronically via Grants.gov)

Budget Form (ED Form 524 Sections A and B with instructions for Sections A, B and C).

Assurances Non-Construction Programs (SF-424B).

Certifications Regarding Lobbying, (ED-80-0013) if applying in paper or the Grants.gov Lobbying Form is applying electronically via Grants.gov.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier (ED-80-0014). Note: ED 80-0014 is intended for the use of grantees and should not be transmitted to the Department.

Disclosure of Lobbying Activities (SF-LLL), if applicable.

"Notice to All Applicants" regarding the Department of Education's General Education Provisions Act (GEPA).

Survey on Ensuring Equal Opportunity for Applicants, if applicable.

APPLICATION ORDER, PROGRAM NARRATIVE INSTRUCTIONS

Application Order

It is recommended that your application be organized in the following manner and include the following parts:

Part I: Project Abstract

A maximum of 3 pages single-spaced abstract describing the proposed project, including program annual measurable objectives, outcomes, and performance measures. It should mention relevant teacher training activities to more effectively involve parents and community in school improvement and designed to reduce high school drop-out rate if it is applicable to the proposed project. The abstract should provide details on the names of schools, grade levels, and number of students to be served in the program. It should include the student's native language. In addition, the abstract should also include information about how the applicant is an eligible applicant under the Native American and Alaska Native Children in School Grant. If you are applying electronically via Grants.gov attach the Project Abstract to the ED Abstract Form.

Part II: Budget Forms and Information (Standard Form 524)

This part of your application contains information about the Federal funding you are requesting. If you are applying in paper, specific instructions for completing the budget forms and information immediately follow the form. A detailed budget and budget narrative are required for each year of funding requested. If you are applying electronically via Grants.gov instructions for completing the Budget Forms and Information can be found at the end of this section, Section C. If you are applying electronically via Grants.gov attach the Budget Narrative to the Budget Narrative Attachment Form.

Part III: Application Narrative

A strong evaluation plan should be included in the application narrative and should be used, as appropriate, to shape the development of the project from the beginning of the grant period. The plan should include benchmarks to monitor progress toward specific project objectives and also outcome measures to assess the impact on teaching and learning or other important outcomes for the project participants. More specifically, the plan should identify the individual and/or organization that have agreed to serve as evaluator for the project and describe the qualifications of that evaluator. The plan should describe the evaluation design, indicating: (1) what types

of data will be collected; (2) when various types of data will be collected; (3) what methods will be used; (4) what instruments will be developed and when; (5) how the data will be analyzed; (6) when reports of results and outcomes will be available; and (7) how the applicant will use the information collected through the evaluation to monitor progress of the funded project and to provide accountability information both about success at the initial site and effective strategies for replication in other settings. Applicants are encouraged to devote an appropriate level of resources to project evaluation.

The program narrative is limited to 35 double-spaced pages.

Applications submitted under this program should be developed in accordance with the application requirements (i.e., General Requirements published in the Application Notice and found in Section B of this package). Your program narrative should be organized around and should address all of the selection criteria.

In describing the quality of personnel, be sure to include position descriptions, not resumes.

If you are applying electronically via Grants.gov attach the Application Narrative to the Project Narrative Attachment Form.

Part IV: Assurances and Certifications

Be certain to include all assurances and certifications, and for paper applications only, sign each form in the appropriate place. The assurances and certifications included in this package are:

- Assurances – Non-construction Programs
- Certification Regarding Lobbying

Part V: GEPA Requirement

The applicant must address Section 427 of the General Education Provisions Act (GEPA). Instructions for meeting this requirement are provided in Section D – Non-Regulatory Guidance Questions and Answers.

NOTE:

No grant may be awarded unless a complete application has been received.

When mailing a hard copy: If you intend to submit your application in hardcopy, be sure to submit one original and three copies of the completed application.

IMPORTANT – PLEASE READ FIRST
U.S. Department of Education
Grants.gov Submission Procedures and Tips for Applicants

Please note that the Grants.gov site works differently than the U.S. Department of Education's (Department) e-Application system. To facilitate your use of Grants.gov, this document includes important submission procedures you need to be aware of to ensure your application is received in a timely manner and accepted by the Department of Education.

- 1) **REGISTER EARLY** – Grants.gov registration is a one-time process that may take five or more days to complete. You may begin working on your application while completing the registration process, but you cannot submit an application until all of the Get Started steps are complete. For detailed information on the Get Started Steps, please go to: <http://www.grants.gov/GetStarted>.
- 2) **SUBMIT EARLY** – We strongly recommend that you do not wait until the last day to submit your application. Grants.gov will put a date/time stamp on your application and then process it after it is fully uploaded. The time it takes to upload an application will vary depending on a number of factors including the size of the application and the speed of your Internet connection, and the time it takes Grants.gov to process the application will vary as well. If Grants.gov rejects your application (see step three below), you will need to resubmit successfully before 4:30 pm on the deadline date.

Note: To submit successfully, you must provide the DUNS number on your application that was used when your organization registered with the CCR (Central Contractor Registry).

- 3) **VERIFY SUBMISSION IS OK** – You will want to verify that Grants.gov and the Department receive your Grants.gov submission timely and that it was validated successfully. To see the date/time your application was received, login to Grants.gov and click on the Check Application Status link. For a successful submission, the date/time received should be earlier than 4:30 p.m. on the deadline date, AND the application status should be: Validated, Received by Agency, or Agency Tracking Number Assigned.

If the date/time received is later than 4:30 p.m. Washington, D.C. time, on the closing date, your application is late. If your application has a status of "Received" it is still awaiting validation by Grants.gov. Once validation is complete, the status will either change to "Validated" or "Rejected with Errors." If the status is "Rejected with Errors," your application has not been received successfully. Some of the reasons Grants.gov may reject an application can be found on the Grants.gov site: <http://www.grants.gov/assets/ApplicationErrorTips.doc>. If you discover your application is late or has been rejected, please see the instructions below. Note: You will receive a series of confirmations both online and via e-mail about the status of your application. Please do not rely solely on e-mail to confirm whether your application has been received timely and validated successfully.

SUBMISSION PROBLEMS – WHAT SHOULD YOU DO?

If you have problems submitting to Grants.gov before the closing date, please contact Grants.gov Customer Support at 1-800-518-4726 or use the customer support available on the Web site: <http://www.grants.gov/CustomerSupport>.

If electronic submission is optional and you have problems that you are unable to resolve before the deadline date and time for electronic applications, please follow the transmittal instructions for hard copy applications in the Federal Register notice and get a hard copy application postmarked by midnight on the deadline date.

If electronic submission is required, you must submit an electronic application before 4:30 p.m., unless you follow the procedures in the Federal Register notice and qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks

before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. (See the Federal Register notice for detailed instructions.)

HELPFUL HINTS WHEN WORKING WITH GRANTS.GOV

Please note, once you download an application from Grants.gov, you will be working offline and saving data on your computer. Please be sure to note where you are saving the Grants.gov file on your computer. You will need to logon to Grants.gov to upload and submit the application. (This is different from e-Application, where you are working online and saving data to the Department's database.) **You must provide on your application the DUNS number that was used when your organization registered with the CCR.**

Please go to <http://www.grants.gov/ForApplicants> for help with Grants.gov and click on the links in the lower right corner of the screen under Applicant Tips and Tools. For additional tips related to submitting grant applications, please refer to the Grants.gov Submit Application Tips found on the Grants.gov homepage <http://www.grants.gov>.

DIAL-UP INTERNET CONNECTIONS

When using a dial up connection to upload and submit your application, it can take significantly longer than when you are connected to the Internet with a high-speed connection, e.g. cable modem/DSL/T1. While times will vary depending upon the size of your application, it can take a few minutes to a few hours to complete your grant submission using a dial up connection. **If you do not have access to a high-speed connection and electronic submission is required, you may want to consider following the instructions in the Federal Register notice to obtain an exception to the electronic submission requirement no later than two weeks before the application deadline date.** (See the Federal Register notice for detailed instructions.)

MAC USERS

If you do not have a Windows operating System, you will need to use a Windows Emulation program to submit an application using Grants.gov. For additional information, review the [PureEdge Support for Macintosh](http://www.grants.gov/GrantsGov_UST_Grantee/SSL/WebHelp/MacSupportforPureEdge.pdf) white paper published by Pure Edge: [http://www.grants.gov/GrantsGov_UST_Grantee/SSL/WebHelp/MacSupportforPureEdge.p](http://www.grants.gov/GrantsGov_UST_Grantee/SSL/WebHelp/MacSupportforPureEdge.pdf)
[df](http://www.grants.gov/GrantsGov_UST_Grantee/SSL/WebHelp/MacSupportforPureEdge.pdf), and/or contact Grants.gov Customer Support (<http://www.grants.gov/CustomerSupport>) for more information. **If you do not have a Windows emulation program and electronic submission is required, please follow instructions in the Federal Register notice to obtain an exception to the electronic submission requirement no later than two weeks before the application deadline date.** (See the Federal Register notice for detailed instructions.)

Instructions for ED 524

General Instructions

This form is used to apply to individual U.S. Department of Education (ED) discretionary grant programs. Unless directed otherwise, provide the same budget information for each year of the multi-year funding request. Pay attention to applicable program specific instructions, if attached. Please consult with your Business Office prior to submitting this form.

**Section A - Budget Summary
U.S. Department of Education Funds**

All applicants must complete Section A and provide a breakdown by the applicable budget categories shown in lines 1-11.

Lines 1-11, columns (a)-(e): For each project year for which funding is requested, show the total amount requested for each applicable budget category.

Lines 1-11, column (f): Show the multi-year total for each budget category. If funding is requested for only one project year, leave this column blank.

Line 12, columns (a)-(e): Show the total budget request for each project year for which funding is requested.

Line 12, column (f): Show the total amount requested for all project years. If funding is requested for only one year, leave this space blank.

Indirect Cost Information:

If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. (1): Indicate whether or not your organization has an Indirect Cost Rate Agreement that was approved by the Federal government. (2): If you checked "yes" in (1), indicate in (2) the beginning and ending dates covered by the Indirect Cost Rate Agreement. In addition, indicate whether ED or another Federal agency (Other) issued the approved agreement. If you check "Other," specify the name of the Federal agency that issued the approved agreement. (3): If you are applying for a grant under a Restricted Rate Program (34 CFR 75.563 or 76.563), indicate whether you are using a restricted indirect cost rate that is included on your approved Indirect Cost Rate Agreement or whether you are using a restricted indirect cost rate that complies with 34 CFR 76.564(c)(2). Note: State or Local government agencies may not use the provision for a restricted indirect cost rate specified in 34 CFR 76.564(c)(2). Check only one response. Leave blank, if this item is not applicable.

**Section B - Budget Summary
Non-Federal Funds**

If you are required to provide or volunteer to provide matching funds or other non-Federal resources to the project, these should be shown for each applicable budget category on lines 1-11 of Section B.

Lines 1-11, columns (a)-(e): For each project year, for which matching funds or other contributions are provided, show the total contribution for each applicable budget category.

Lines 1-11, column (f): Show the multi-year total for each budget category. If non-Federal contributions are provided for only one year, leave this column blank.

Line 12, columns (a)-(e): Show the total matching or other contribution for each project year.

Line 12, column (f): Show the total amount to be contributed for all years of the multi-year project. If non-Federal contributions are provided for only one year, leave this space blank.

**Section C - Budget Narrative [Attach separate sheet(s)]
Pay attention to applicable program specific instructions,
if attached.**

1. Provide an itemized budget breakdown, and justification by project year, for each budget category listed in Sections A and B. For grant projects that will be divided into two or more separately budgeted major activities or sub-projects, show for each budget category of a project year the breakdown of the specific expenses attributable to each sub-project or activity.
2. If applicable to this program, provide the rate and base on which fringe benefits are calculated.
3. If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. Specify the estimated amount of the base to which the indirect cost rate is applied and the total indirect expense. Depending on the grant program to which you are applying and/or your approved Indirect Cost Rate Agreement, some direct cost budget categories in your grant application budget may not be included in the base and multiplied by your indirect cost rate. For example, you must multiply the indirect cost rates of "Training grants" (34 CFR 75.562) and grants under programs with "Supplement not Supplant" requirements ("Restricted Rate" programs) by a "modified total direct cost" (MTDC) base (34 CFR 75.563 or 76.563). Please indicate which costs are included and which costs are excluded from the base to which the indirect cost rate is applied.

When calculating indirect costs (line 10) for "Training grants" or grants under "Restricted Rate" programs, you must refer to the information and examples on ED's website at:

<http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

You may also contact (202) 377-3838 for additional information regarding calculating indirect cost rates or general indirect cost rate information.

4. Provide other explanations or comments you deem necessary.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1890-0004. The time required to complete this information collection is estimated to vary from 13 to 22 hours per response, with an average of 17.5 hours per response, including the time to review instructions, search existing data sources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4651. If you have comments or concerns regarding the status of your individual submission of this form, write directly to (insert program office), U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form (including the continuation sheet) required for use as a cover sheet for submission of pr-applications and applications and related information under discretionary programs. Some of the items are required and some are optional at the discretion of the applicant or the Federal agency (agency). Required items are identified with an asterisk on the form and are specified in the instructions below. In addition to the instructions provided below, applicants must consult agency instructions to determine specific requirements.

Item	Entry:	Item	Entry:
1.	Type of Submission: (Required): Select one type of submission in accordance with agency instructions. Pre-application Application Changed/Corrected Application – If requested by the agency, check if this submission is to change or correct a previously submitted application. Unless requested by the agency, applicants may not use this to submit changes after the closing date.	10.	Name Of Federal Agency: (Required) Enter the name of the Federal agency from which assistance is being requested with this application.
		11.	Catalog Of Federal Domestic Assistance Number/Title: Enter the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested, as found in the program announcement, if applicable.
2.	Type of Application: (Required) Select one type of application in accordance with agency instructions. New – An application that is being submitted to an agency for the first time. Continuation - An extension for an additional funding/budget period for a project with a projected completion date. This can include renewals. Revision - Any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter(s). More than one may be selected. If "Other" is selected, please specify in text box provided. A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration E. Other (specify)	12.	Funding Opportunity Number/Title: (Required) Enter the Funding Opportunity Number and title of the opportunity under which assistance is requested, as found in the program announcement.
		13.	Competition Identification Number/Title: Enter the Competition Identification Number and title of the competition under which assistance is requested, if applicable.
		14.	Areas Affected By Project: List the areas or entities using the categories (e.g., cities, counties, states, etc.) specified in agency instructions. Use the continuation sheet to enter additional areas, if needed.
3.	Date Received: Leave this field blank. This date will be assigned by the Federal agency.	15.	Descriptive Title of Applicant's Project: (Required) Enter a brief descriptive title of the project. If appropriate, attach a map showing project location (e.g., construction or real property projects). For pre-applications, attach a summary description of the project.
4.	Applicant Identifier: Enter the entity identifier assigned by the Federal agency, if any, or applicant's control number, if applicable.		
5a.	Federal Entity Identifier: Enter the number assigned to your organization by the Federal Agency, if any.	16.	Congressional Districts Of: (Required) 16a. Enter the applicant's Congressional District, and 16b. Enter all District(s) affected by the program or project. Enter in the format: 2 characters State Abbreviation – 2-3 characters District Number, e.g., CA-12 for California 12 th district, NC-103 for North Carolina's 103 rd district. If all congressional districts in a state are affected, enter "all" for the district number, e.g., MD-all for all congressional districts in Maryland. If nationwide, i.e. all districts within all states are affected, enter US-all. If the program/project is outside the US, enter 00-000.
5b.	Federal Award Identifier: For new applications leave blank. For a continuation or revision to an existing award, enter the previously assigned Federal award identifier number. If a changed/corrected application, enter the Federal Identifier in accordance with agency instructions.		
6.	Date Received by State: Leave this field blank. This date will be assigned by the State, if applicable.		
7.	State Application Identifier: Leave this field blank. This identifier will be assigned by the State, if applicable.		

8.	Applicant Information: Enter the following in accordance with agency instructions:			
	a. Legal Name: (Required): Enter the legal name of applicant that will undertake the assistance activity. This is the name that the organization has registered with the Central Contractor Registry. Information on registering with CCR may be obtained by visiting the Grants.gov website.		17.	Proposed Project Start and End Dates: (Required) Enter the proposed start date and end date of the project.
	b. Employer/Taxpayer Number (EIN/TIN): (Required): Enter the Employer or Taxpayer Identification Number (EIN or TIN) as assigned by the Internal Revenue Service. If your organization is not in the US, enter 44-4444444.		18.	Estimated Funding: (Required) Enter the amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines, as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses.
	c. Organizational DUNS: (Required) Enter the organization's DUNS or DUNS+4 number received from Dun and Bradstreet. Information on obtaining a DUNS number may be obtained by visiting the Grants.gov website.			
	d. Address: Enter the complete address as follows: Street address (Line 1 required), City (Required), County, State (Required, if country is US), Province, Country (Required), Zip/Postal Code (Required, if country is US).		19.	Is Application Subject to Review by State Under Executive Order 12372 Process? Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State
	e. Organizational Unit: Enter the name of the primary organizational unit (and department or division, if applicable) that will undertake the assistance activity, if applicable.			
	f. Name and contact information of person to be contacted on matters involving this application: Enter the name (First and last name required), organizational affiliation (if affiliated with an organization other than the applicant organization), telephone number (Required), fax number, and email address (Required) of the person to contact on matters related to this application.		20.	Is the Applicant Delinquent on any Federal Debt? (Required) Select the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. If yes, include an explanation on the continuation sheet.
9.	Type of Applicant: (Required) Select up to three applicant type(s) in accordance with agency instructions.		21.	Authorized Representative: (Required) To be signed and dated by the authorized representative of the applicant organization. Enter the name (First and last name required) title (Required), telephone number (Required), fax number, and email address (Required) of the person authorized to sign for the applicant. A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)
	State Government County Government City or Township Government Special District Government Regional Organization U.S. Territory or Possession Independent	Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education) Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education) Private Institution of Higher Education Individual For-Profit Organization (Other than Small Business) Small Business Hispanic-serving Institution Historically Black Colleges and Universities (HBCUs)		

	School District Public/State Controlled Institution of Higher Education Indian/Native American Tribal Government (Federally Recognized) Indian/Native American Tribal Government (Other than Federally Recognized) Indian/Native American Tribally Designated Organization Public/Indian Housing Authority	Tribally Controlled Colleges and Universities (TCCUs) Alaska Native and Native Hawaiian Serving Institutions Non-domestic (non-US) Entity Other (specify)		
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INSTRUCTIONS FOR DEPARTMENT OF EDUCATION SUPPLEMENTAL INFORMATION FOR SF 424

1. Project Director. Name, address, telephone and fax numbers, and e-mail address of the person to be contacted on matters involving this application.

2. Novice Applicant. Check “**Yes**” or “**No**” only if assistance is being requested under a program that gives special consideration to novice applicants. Otherwise, **leave blank**.

Check “**Yes**” if you meet the requirements for novice applicants specified in the regulations in 34 CFR 75.225 and included on the attached page entitled “Definitions for Department of Education Supplemental Information for SF 424.” By checking “Yes” the applicant certifies that it meets these novice applicant requirements. Check “**No**” if you do not meet the requirements for novice applicants.

3. Human Subjects Research. (See I. A. “Definitions” in attached page entitled “Definitions for Department of Education Supplemental Information For SF 424.”)

If Not Human Subjects Research. Check “**No**” if research activities involving human subjects are not planned at any time during the proposed project period. The remaining parts of Item 3 are then not applicable.

If Human Subjects Research. Check “**Yes**” if research activities involving human subjects are planned at any time during the proposed project period, either at the applicant organization or at any other performance site or collaborating institution. Check “**Yes**” even if the research is exempt from the regulations for the protection of human subjects. (See I. B. “Exemptions” in attached page entitled “Definitions for Department of Education Supplemental Information For SF 424.”)

3a. If Human Subjects Research is Exempt from the Human Subjects Regulations. Check “**Yes**” if all the research activities proposed are designated to be exempt from the regulations.

Insert the exemption number(s) corresponding to one or more of the six exemption categories listed in I. B. "Exemptions." In addition, follow the instructions in II. A. "Exempt Research Narrative" in the attached page entitled "Definitions for Department of Education Supplemental Information For SF 424."

3a. If Human Subjects Research is Not Exempt from Human Subjects Regulations.

Check "**No**" if some or all of the planned research activities are covered (not exempt). In addition, follow the instructions in II. B. "Nonexempt Research Narrative" in the page entitled "Definitions for Department of Education Supplemental Information For SF 424"

3a. Human Subjects Assurance Number. If the applicant has an approved Federal Wide (FWA) on file with the Office for Human Research Protections (OHRP), U.S. Department of Health and Human Services, that covers the specific activity, insert the number in the space provided. If the applicant does not have an approved assurance on file with OHRP, enter "None." In this case, the applicant, by signature on the SF-424, is declaring that it will comply with 34 CFR 97 and proceed to obtain the human subjects assurance upon request by the designated ED official. If the application is recommended/selected for funding, the designated ED official will request that the applicant obtain the assurance within 30 days after the specific formal request.

Note about Institutional Review Board Approval. ED does not require certification of Institutional Review Board approval with the application. However, if an application that involves non-exempt human subjects research is recommended/selected for funding, the designated ED official will request that the applicant obtain and send the certification to ED within 30 days after the formal request.

PAPERWORK BURDEN STATEMENT. ACCORDING TO THE PAPERWORK REDUCTION ACT OF 1995, NO PERSONS ARE REQUIRED TO RESPOND TO A COLLECTION OF INFORMATION UNLESS SUCH COLLECTION DISPLAYS A VALID OMB CONTROL NUMBER. THE VALID OMB CONTROL NUMBER FOR THIS INFORMATION COLLECTION IS 1890-0017. THE TIME REQUIRED TO COMPLETE THIS INFORMATION COLLECTION IS ESTIMATED TO AVERAGE BETWEEN 15 AND 45 MINUTES PER RESPONSE, INCLUDING THE TIME TO REVIEW INSTRUCTIONS, SEARCH EXISTING DATA RESOURCES, GATHER THE DATA NEEDED, AND COMPLETE AND REVIEW THE INFORMATION COLLECTION. IF YOU HAVE ANY COMMENTS CONCERNING THE ACCURACY OF THE ESTIMATE(S) OR SUGGESTIONS FOR IMPROVING THIS FORM, PLEASE WRITE TO: U.S. DEPARTMENT OF EDUCATION, WASHINGTON, D.C. 20202-4700. IF YOU HAVE COMMENTS OR CONCERNS REGARDING THE STATUS OF YOUR INDIVIDUAL SUBMISSION OF THIS FORM WRITE DIRECTLY TO: JOYCE I. MAYS, APPLICATION CONTROL CENTER, U.S. DEPARTMENT OF EDUCATION, POTOMAC CENTER PLAZA, 550 12TH STREET, S.W. ROOM 7076, WASHINGTON, D.C. 20202-4260.

DEFINITIONS FOR DEPARTMENT OF EDUCATION SUPPLEMENTAL INFORMATION FOR SF 424

(ATTACHMENT TO INSTRUCTIONS FOR SUPPLEMENTAL INFORMATION FOR SF 424)

Definitions:

Novice Applicant (See 34 CFR 75.225). For discretionary grant programs under which the Secretary gives special consideration to novice applications, a novice applicant means any applicant for a grant from ED that—

- Has never received a grant or subgrant under the program from which it seeks funding;
- Has never been a member of a group application, submitted in accordance with 34 CFR 75.127-75.129, that received a grant under the program from which it seeks funding; and
- Has not had an active discretionary grant from the Federal government in the five years before the deadline date for applications under the program. For the purposes of this requirement, a grant is active until the end of the grant's project or funding period, including any extensions of those periods that extend the grantee's authority to obligate funds.

In the case of a group application submitted in accordance with 34 CFR 75.127-75.129, a group includes only parties that meet the requirements listed above.

PROTECTION OF HUMAN SUBJECTS IN RESEARCH

I. Definitions and Exemptions

A. Definitions.

A research activity involves human subjects if the activity is research, as defined in the Department's regulations, and the research activity will involve use of human subjects, as defined in the regulations.

—Research

The ED Regulations for the Protection of Human Subjects, Title 34, Code of Federal Regulations, Part 97, define research as “a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge.” *If an activity follows a deliberate plan whose purpose is to develop or contribute to generalizable knowledge it is research.* Activities which meet this definition constitute research whether or not they are conducted or supported under a program that is considered research for other purposes. For example, some demonstration and service programs may include research activities.

—Human Subject

The regulations define human subject as “a living individual about whom an investigator (whether professional or student) conducting research obtains (1) data through intervention or interaction with the individual, or (2) identifiable private information.” *(1) If an activity involves obtaining information about a living person by manipulating that person or that person's environment, as might occur when a new instructional technique is tested, or by communicating or interacting with the individual, as occurs with surveys and interviews, the definition of human subject is met. (2) If an activity involves obtaining private information about a living person in such a way that the information can be linked to that individual (the identity of the subject is or may be readily determined by the investigator or associated with the information), the definition of human subject is met.* [Private information includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by an individual and which the individual can

reasonably expect will not be made public (for example, a school health record).]

B. Exemptions.

Research activities in which the **only** involvement of human subjects will be in one or more of the following six categories of **exemptions** are not covered by the regulations:

(1) Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as (a) research on regular and special education instructional strategies, or (b) research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.

(2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: (a) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (b) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation. ***If the subjects are children, exemption 2 applies only to research involving educational tests and observations of public behavior when the investigator(s) do not participate in the activities being observed. Exemption 2 does not apply if children are surveyed or interviewed or if the research involves observation of public behavior and the investigator(s) participate in the activities being observed.*** [Children are defined as persons who have not attained the legal age for consent to treatments or procedures involved in the research, under the applicable law or jurisdiction in which the research will be conducted.]

(3) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior

that is not exempt under section (2) above, if the human subjects are elected or appointed public officials or candidates for public office; or federal statute(s) require(s) without exception that the confidentiality of the personally identifiable information will be maintained throughout the research and thereafter.

(4) Research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is recorded by the investigator in a manner that subjects cannot be identified, directly or through identifiers linked to the subjects.

(5) Research and demonstration projects which are conducted by or subject to the approval of department or agency heads, and which are designed to study, evaluate, or otherwise examine: (a) public benefit or service programs; (b) procedures for obtaining benefits or services under those programs; (c) possible changes in or alternatives to those programs or procedures; or (d) possible changes in methods or levels of payment for benefits or services under those programs.

(6) Taste and food quality evaluation and consumer acceptance studies, (a) if wholesome foods without additives are consumed or (b) if a food is consumed that contains a food ingredient at or below the level and for a use found to be safe, or agricultural chemical or environmental contaminant at or below the level found to be safe, by the Food and Drug Administration or approved by the Environmental Protection Agency or the Food Safety and Inspection Service of the U.S. Department of Agriculture.

II. Instructions for Exempt and Nonexempt Human Subjects Research Narratives

If the applicant marked "Yes" for Item 3 of Department of Education Supplemental Information for SF 424, the applicant must provide a human subjects "exempt research" or "nonexempt research" narrative. Insert the narrative(s) in the space provided. If you have multiple projects and need to provide more

than one narrative, be sure to label each set of responses as to the project they address.

A. Exempt Research Narrative.

If you marked “Yes” for item 3 a. and designated exemption numbers(s), provide the “exempt research” narrative. The narrative must contain sufficient information about the involvement of human subjects in the proposed research to allow a determination by ED that the designated exemption(s) are appropriate. The narrative must be succinct.

B. Nonexempt Research Narrative.

If you marked “No” for item 3 a. you must provide the “nonexempt research” narrative. The narrative must address the following seven points. Although no specific page limitation applies to this section of the application, be succinct.

(1) Human Subjects Involvement and Characteristics: Provide a detailed description of the proposed involvement of human subjects. Describe the characteristics of the subject population, including their anticipated number, age range, and health status. Identify the criteria for inclusion or exclusion of any subpopulation. Explain the rationale for the involvement of special classes of subjects, such as children, children with disabilities, adults with disabilities, persons with mental disabilities, pregnant women, prisoners, institutionalized individuals, or others who are likely to be vulnerable

(2) Sources of Materials: Identify the sources of research material obtained from individually identifiable living human subjects in the form of specimens, records, or data. Indicate whether the material or data will be obtained specifically for research purposes or whether use will be made of existing specimens, records, or data.

(3) Recruitment and Informed Consent: Describe plans for the recruitment of subjects and the consent procedures to be followed. Include the circumstances under which consent will be sought and obtained, who will seek it, the nature of the information to be provided to prospective subjects, and the method of documenting consent. State if the

Institutional Review Board (IRB) has authorized a modification or waiver of the elements of consent or the requirement for documentation of consent.

(4) Potential Risks: Describe potential risks (physical, psychological, social, legal, or other) and assess their likelihood and seriousness. Where appropriate, describe alternative treatments and procedures that might be advantageous to the subjects.

(5) Protection Against Risk: Describe the procedures for protecting against or minimizing potential risks, including risks to confidentiality, and assess their likely effectiveness. Where appropriate, discuss provisions for ensuring necessary medical or professional intervention in the event of adverse effects to the subjects. Also, where appropriate, describe the provisions for monitoring the data collected to ensure the safety of the subjects.

(6) Importance of the Knowledge to be Gained: Discuss the importance of the knowledge gained or to be gained as a result of the proposed research. Discuss why the risks to subjects are reasonable in relation to the anticipated benefits to subjects and in relation to the importance of the knowledge that may reasonably be expected to result.

(7) Collaborating Site(s): If research involving human subjects will take place at collaborating site(s) or other performance site(s), name the sites and briefly describe their involvement or role in the research.

***Copies of the Department of Education’s Regulations for the Protection of Human Subjects, 34 CFR Part 97 and other pertinent materials on the protection of human subjects in research are available from the Grants Policy and Oversight Staff, Office of the Chief Financial Officer, U.S. Department of Education, Washington, D.C. 20202-4250, telephone: (202) 245-6120, and on the U.S. Department of Education’s Protection of Human Subjects in Research Web Site:
<http://www.ed.gov/about/offices/list/OCFO/humansub.html>***

NOTE: The **State Applicant Identifier** on the SF 424 is for State Use only. Please complete it on the OMB Standard 424 in the upper right corner of the form (if applicable).

APPLICATION CHECKLIST

Does your application include each of the following?

- ☐ Application for Federal Assistance Cover Page ED 424 for paper applications or the SF 424 and ED Supplement Form for electronic applications.
- ☐ Program Abstract.
- ☐ Budget Form (ED Form 524 Sections A and B).
- ☐ Itemized Budget (Section C) and narrative for each year of requested funding. The budget narrative does not require double spacing or page numbers.
- ☐ Assurances Non-Construction Programs (SF-424B).
- ☐ Certification Regarding Lobbying (ED-80-0013) or the Grants.gov Lobbying Form for electronic applications.
- ☐ Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier (ED-80-0014). Note: ED 80-0014 is intended for the use of grantees and should not be transmitted to the Department.
- ☐ Disclosure of Lobbying Activities (SF-LLL), if applicable.
- ☐ Applicants response to the “Notice to All Applicants” concerning the Department of Education’s General Education Provisions Act (GEPA).
- ☐ Survey on Ensuring Equal Opportunity for Applicants, if applicable.
- ☐ Copy of letter to State Single Point of Contact (SPOC), if applicable.
- ☐ Table of Contents.
- ☐ Application Narrative.

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

- 1. *Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.***
- 2. *Identify the status of the covered Federal action.***
- 3. *Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.***
- 4. *Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.***
- 5. *If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.***
- 6. *Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.***
- 7. *Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.***
- 8. *Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."***
- 9. *For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.***

10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503

Appendix

Intergovernmental Review of Federal Programs

This appendix applies to each program that is subject to the requirements of Executive Order 12372 (Intergovernmental Review of Federal Programs) and the regulations in 34 CFR part 79.

The objective of the Executive order is to foster an intergovernmental partnership and to strengthen federalism by relying on State and local processes for State and local government coordination and review of proposed Federal financial assistance.

Applicants must contact the appropriate State Single Point of Contact to find out about, and to comply with, the State's process under Executive Order 12372. Applicants proposing to perform activities in more than one State should immediately contact the Single Point of Contact for each of those States and follow the procedure established in each of those States under the Executive order. A listing containing the Single Point of Contact for each State is included in this appendix.

In States that have not established a process or chosen a program for review, State, area wide, regional, and local entities may submit comments directly to the Department.

Any State Process Recommendation and other comments submitted by a State Single Point of Contact and any comments from State, area wide, regional, and local entities must be mailed or hand-delivered by the date indicated in the actual application notice to the following address: The Secretary, EO 12372--CFDA# [commenter must insert number--including suffix letter, if any], U.S. Department of Education, room 7W301, 400 Maryland Avenue, SW., Washington, DC 20202.

Proof of mailing will be determined on the same basis as applications (see 34 CFR 75.102). Recommendations or comments may be hand-delivered until 4:30 p.m. (Washington, DC time) on the date indicated in the actual application notice.

PLEASE NOTE THAT THE ABOVE ADDRESS IS NOT THE SAME ADDRESS AS THE ONE TO WHICH THE APPLICANT SUBMITS ITS COMPLETED APPLICATION. DO NOT SEND APPLICATIONS TO THE ABOVE ADDRESS.

This publication by the U.S. Department of Education is an unofficial version of the State Single Point of Contact (SPOC) List published by the Office of Management and Budget (OMB). This publication incorporates the most recent revisions made by OMB. The Department has made every effort to ensure the accuracy of the information contained in this unofficial version. However, the only official version of the State Single Point of Contact (SPOC) List is posted on the Grants Management section of the OMB web site <http://www.whitehouse.gov/omb/grants/spoc.html>. You may save a text version of this document at the aforementioned site. Please note it will be necessary to put a row of space between each state listing.

STATE SINGLE POINTS OF CONTACT (SPOCs)

It is estimated that in 2004 the Federal Government will outlay \$400 billion in grants to State and local governments. Executive Order 12372, "Intergovernmental Review of Federal Programs," was issued with the desire to foster the intergovernmental partnership and strengthen federalism by relying on State and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. The Order allows each State to designate an entity to perform this function. Below is the official list of those entities. For those States that have a home page for their designated entity, a direct link has been provided on the official version:
<http://www.whitehouse.gov/omb/grants/spoc.html>.

States that are not listed on this page have chosen not to participate in the intergovernmental review process, and therefore do not have a SPOC. If you are located within one of these States, you may still send application materials directly to a Federal awarding agency.

Contact information for Federal agencies that award grants can be found in [Appendix IV of the Catalog of Federal Domestic Assistance](#). [<http://www.cfda.gov/public/cat-app4-index.htm>]

<p style="text-align: center;">ARKANSAS</p> <p>Tracy L. Copeland Manager, State Clearinghouse Office of Intergovernmental Services Department of Finance and Administration 1515 7th Street, Room 412 Little Rock, Arkansas 72203 Telephone: (501) 682-1074 FAX: (501) 682-5206 Tlcpeland@dfa.state.ar.us</p>	<p style="text-align: center;">CALIFORNIA</p> <p>Grants Coordination State Clearinghouse Office of Planning and Research P.O. Box 3044, Room 222 Sacramento, California 95812-3044 Telephone: (916) 445-0613 FAX: (916) 323-3018 State.clearinghouse@opr.ca.gov</p>
<p style="text-align: center;">DELAWARE</p> <p>Sandra R. Stump Executive Department Office of the Budget 540 S. Dupont Highway , 3rd Floor Dover, Delaware 19901 Telephone: (302) 739-3323 FAX: (302) 739-5661 Sandy.stump@state.de.us</p>	<p style="text-align: center;">DISTRICT OF COLUMBIA</p> <p>Luisa Montero-Diaz Office of Partnerships and Grants Development Executive Office of the Mayor District of Columbia Government 414 4th Street, NW, Suite 530 South Washington, DC 20001 Telephone: (202) 727-8900 FAX: (202) 727-1652 opgd.eom@dc.gov</p>

FLORIDA Lauren P. Milligan Florida State Clearinghouse Florida Dept. of Environmental Protection 3900 Commonwealth Blvd., Mall Station 47 Tallahassee, Florida 32399-3000 Telephone: (850) 245-2161 FAX: (850) 245-2190 Lauren.Milligan@dep.state.fl.us	GEORGIA Barbara Jackson Georgia State Clearinghouse 270 Washington Street, SW Atlanta, Georgia 30334 Telephone: (404) 656-3855 FAX: (404) 656-7901 gach@mail.opb.state.ga.us
ILLINOIS Roukaya McCaffrey Department of Commerce and Economic Opportunities 620 East Adams, 6 th Floor Springfield, Illinois, 62701 Telephone: (217) 524-0188 FAX: (217) 558-0473 roukaya_mccaffrey@illinoisbiz.biz	IOWA Steven R. McCann Division of Community and Rural Development Iowa Department of Economic Development 200 East Grand Avenue Des Moines, Iowa 50309 Telephone: (515) 242-4719 FAX: (515) 242-4809 Steve.mccann@ided.state.ia.us
KENTUCKY Ron Cook Department for Local Government 1024 Capital Center Drive, Suite 340 Frankfort, Kentucky 40601 Telephone: (502) 573-2382 FAX: (502) 573-2512 ron.cook@mail.state.ky.us	MAINE Joyce Benson State Planning Office 184 State Street 38 State House Station Augusta, Maine 04333 Telephone: (207) 287-3261 Telephone: (207) 1461 FAX: (207) 287-6489 joyce.benson@state.me.us

<p>MARYLAND Linda C. Janey, J.D. Director, Capital Plng. & Devel. Review Maryland Department of Planning 301 West Preston Street – Room 1104 Baltimore, Maryland 21201-2305 Telephone: (410) 767-4490 FAX: (410) 767-4480 ljaney@mdp.state.md.us</p>	<p>Massachusetts Bradley T. Crate Grants Management Governor's Legislative & Intergovernmental Affairs Office State House Room 280 Boston, MA 02133 Phone: (617) 725-4020 x 35215 Fax: (617) 725-8136 bradley.crate@state.ma.us</p>
<p>MICHIGAN Richard Pfaff Southeast Michigan Council of Governments 535 Griswold, Suite 300 Detroit, Michigan 48226 Telephone: (313) 961-4266 FAX: (313) 961-4869 PFAFF@SEMCOG.ORG</p>	<p>MISSISSIPPI Cathy Mallette Clearinghouse Officer Department of Finance and Administration 1301 Woolfolk Building, Suite E 501 North West Street Jackson, Mississippi 39201 Telephone: (601) 359-6762 FAX: (601) 359-6758</p>
<p>MISSOURI Angela Boessen Federal Assistance Clearinghouse Office of Administration P.O. Box 809 Truman Building, Room 840 Jefferson City, Missouri 65102 Telephone: (573) 751-4834 FAX: (573) 522-4395 igr@mail.oa.state.mo.us</p>	<p>NEVADA Heather Elliott Department of Administration State Clearinghouse 209 E. Musser Street, Room 200 Carson City, Nevada 89701 Telephone: (775) 684-0209 FAX: (775) 684-0260 helliott@govmail.state.nv.us</p>
<p>NEW HAMPSHIRE Jeffrey H. Taylor Director, New Hampshire Office of State Planning Attn: Intergovernmental Review Process Mike Blake 2½ Beacon Street Concord, New Hampshire 03301 Telephone: (603) 271-2155 FAX: (603) 271-1728 jtaylor@osp.state.nh.us</p>	<p>NEW MEXICO Ken Hughes Local Government Division Room 201, Bataan Memorial Building Santa Fe, New Mexico 87503 Telephone: (505) 827-4370 FAX: (505) 827-4948 khughes@dfa.state.nm.us</p>
<p>NEW YORK Linda Shkrell Office of Public Security Homeland Security Grants Coordination 633 3rd Avenue New York, NY 10017 Telephone: (212) 867-1289 FAX: (212) 867-1725</p>	<p>NORTH DAKOTA Jim Boyd Division of Community Services 600 East Boulevard Ave, Dept 105 Bismarck, North Dakota 58505-0170 Telephone: (701) 328-2094 FAX: (701) 328-2308 jboyd@state.nd.us</p>

<p>RHODE ISLAND Kevin Nelson Department of Administration Statewide Planning Program One Capitol Hill Providence Rhode Island 02908-5870 Telephone: (401) 222-2093 FAX: (401) 222-2083 knelson@doa.state.ri.us</p>	<p>SOUTH CAROLINA SC Clearinghouse Budget and Control Board Office of State Budget 1201 Main Street, Suite 950 Columbia, South Carolina 29201 Telephone: (803) 734-0494 FAX: (803) 734-0645 clearinghouse@budget.state.sc.us</p>
<p>TEXAS Denise S. Francis Director, State Grants Team Governor's Office of Budget and Planning P.O. Box 12428 Austin, Texas 78711 Telephone: (512) 305-9415 FAX: (512) 936-2681 dfrancis@governor.state.tx.us</p>	<p>UTAH Clare Walters Utah State Clearinghouse Governor's Office of Planning and Budget State Capitol, Room 116 Salt Lake City, Utah 84114 Telephone: (801) 538-1555 FAX: (801) 538-1547 cwalters@gov.state.ut.us</p>
<p>WEST VIRGINIA Fred Cutlip, Director Community Development Division West Virginia Development Office Building #6, Room 553 Charleston, West Virginia 25305 Telephone: (304) 558-4010 FAX: (304) 558-3248 fcutlip@wvdo.org</p>	<p>WISCONSIN Jeff Smith Section Chief, Federal/State Relations Wisconsin Department of Administration 101 East Wilson Street – 6th Floor P.O. Box 7868 Madison, Wisconsin 53707 Telephone: (608) 266-0267 FAX: (608) 267-6931 jeffrey.smith@doa.state.wi.us</p>
<p>AMERICAN SAMOA PAT M. GALEA'I FEDERAL GRANTS/PROGRAMS COORDINATOR OFFICE OF FEDERAL PROGRAMS/OFFICE OF THE GOVERNOR Department of Commerce American Samoa Government Pago Pago, American Samoa 96799 Telephone: (684) 633-5155 Fax: (684) 633-4195 pmgaleai@samoatelco.com</p>	<p>GUAM Director Bureau of Budget and Mgmt. Research Office of the Governor P.O. Box 2950 Agana, Guam 96910 Telephone: 011-671-472-2285 FAX: 011-671-472-2825 JER@NS.GOV.GU</p>
<p>PUERTO RICO Jose Caballero / Mayra Silva Puerto Rico Planning Board Federal Proposals Review Office Minillas Government Center P.O. Box 41119 San Juan, Puerto Rico 00940-1119 Telephone: (787) 723-6190 FAX: (787) 722-6783</p>	<p>NORTH MARIANA ISLANDS Ms. Jacoba T. Seman Federal Programs Coordinator Office of Management and Budget Office of the Governor Saipan, MP 96950 Telephone: (670) 664-2289 FAX: (670) 664-2272 OMB.JSEMAN@SAIPAN.COM</p>

VIRGIN ISLANDS Ira Mills Director, Office of Management and Budget # 41 Norre Gade Emancipation Garden Station, Second Floor Saint Thomas, Virgin Islands 00802 Telephone: (340) 774-0750 FAX: (787) 776-0069 irmills@usvi.org	
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Changes to this list can be made only after OMB is notified by a State's officially designated representative. E-mail messages can be sent to grants@omb.eop.gov. If you prefer, you may send correspondence to the following postal address:

Attn: Grants Management
Office of Management and Budget
New Executive Office Building, Suite 6025
725 17th Street, NW
Washington, DC 20503

Please note: Inquiries about obtaining a Federal grant should not be sent to the OMB e-mail or postal address shown above. The best source for this information is the [CFDA](#).

SECTION D

NON-REGULATORY GUIDANCE

- **QUESTIONS AND ANSWERS**

NATIVE AMERICAN AND ALASKA NATIVE CHILDREN IN SCHOOL PROGRAM ADDITIONAL NON-REGULATORY GUIDANCE

(Questions and Answers)

Non-Regulatory Guidance

PURPOSE OF THE PROGRAM

Q: What is the purpose of the English Language Acquisition, Language Enhancement, and Academic Achievement Act for Limited English Proficient Students of Title III of the Elementary and Secondary Education Act as amended by the No Child Left Behind Act of 2001?

A: The purpose of Title III is to ensure that limited English proficient (LEP) students develop English proficiency and meet the same academic content and academic achievement standards that other children are expected to meet. Schools use these funds to implement language instruction educational programs designed to achieve the purpose of the grants. The Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students (OELA) will hold grantees accountable for increasing the English proficiency and core academic content knowledge of LEP students.

Q: May projects funded under this program support the teaching and studying of Native American Languages?

A: Projects funded under this program may support the teaching and studying of Native American Languages, but must have, as a project outcome, increase in proficiency in English.

Q: What instructional programs are grantees required to provide?

A: Grantees under this program are required to provide high quality language instruction educational programs that are based on scientifically based research demonstrating effectiveness in increasing English

proficiency and student academic achievement in the core academic subjects. A grantee must select one or more methods of instruction to be used in the programs and activities and provide evidence that the programs chosen are based on scientific research in teaching LEP students.

Q: Does an applicant have flexibility in selecting the method of instruction to be used to assist LEP students to attain English proficiency and academic achievement?

A: Applicant may select one or more methods of instruction to be used in assisting LEP students to attain English proficiency and student academic achievement. However, the language instruction curriculum used must be tied to scientifically based research on teaching LEP students and must have demonstrated effectiveness.

Q: Are students who participate in the Native American and Alaska Native Children in School Program required to meet State academic content and student academic achievement standards?

A: Students who are enrolled in schools that are subject to meet State academic content and student academic achievement standards, are expected to meet those standards. Students in schools that are subject to standards other than State standards are expected to meet the same standards as all children in their school are expected to meet.

Q: Are public schools, which serve Native American children eligible to apply under the Native American and Alaska Native Children in School Program?

A: Public elementary or secondary schools operated predominantly for Native American children are eligible to apply under the Native American and Alaska Native Children in School Program if the school is tribally sanctioned or is operated under a contract from the Bureau of Indian

Affairs, or has secured a grant or funds from the Bureau of Indian Affairs, such as a grant under the Johnson O'Malley Act.

Q: What should an applicant for the Native American and Alaska Native Children in School Program consider in developing project objectives?

A: Applicants should develop aligned project measurable objectives including benchmarks and associated performance measures reflecting GPRA measures.

Q: What are the two Native American and Alaska Native Children in School Program established GPRA measures?

A: (1) The percentage of limited English proficient (LEP) students in the program who make gains in English.

(2) The percentage of LEP students in the program who make gains in core academic subjects.

Q: What professional development activities are applicants encouraged to provide teachers, administrators and others involved in language instruction educational programs?

A: Applicants are encouraged to provide high-quality professional development to classroom teachers (including teachers in classroom settings that are not the setting of language instruction educational programs), principals, administrators, and other school- or community-based organizational personnel that is designed:

- ✓ To improve the instruction and assessment of LEP students;
- ✓ To enhance the ability of such teachers to understand and use curricula, assessment measures, and instruction strategies for LEP children;
- ✓ Based on scientifically based research demonstrating the effectiveness of the professional development in increasing children's

English proficiency, or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers, and

✓ Of sufficient intensity and duration (which shall not include activities such as one - day conference or short - term workshops and conferences) to have a positive and lasting impact on the teacher's performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long - term, comprehensive professional development plan established by a teacher and the teacher's supervisor based on assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing teacher.

Q: Who should sign as the Authorized Representative on the Application for Federal Assistance and other forms?

A: It is recommended that the Superintendent of Schools sign as the Authorized Representative.

ROLE OF PARENTS

Q: How is the role of parents of LEP students addressed in the Title III legislation?

A: Each grantee using funds provided under this title to provide a language instruction educational program must implement an effective means of outreach to parents of limited English proficient children to inform such parents of how they can be involved in the education of their children, and be active participants in assisting their children to learn English, to achieve at high levels in core academic subjects, and to meet the same challenging State academic content and student academic achievement standards as all children are expected to meet.

Q: What is the length of time that a grantee has to inform parents that their child has been identified for participation in a language

instruction educational program for limited English proficient (LEP) students?

A: Grantees shall inform parent(s) that their child has been identified for participation in a language instruction educational program for LEPs not later than 30 days after the beginning of the school year. For a child who enters school after the beginning of the school year, grantees shall inform parent(s) within 2 weeks of the child's placement in such a program.

Q: What kind of information must a grantee provide parents regarding their child's participation in a language instruction educational program for LEPs?

A: Grantees shall provide parents (1) the reasons for identifying their child as being limited English proficient and the need to place him/her in a language instruction educational program for LEPs; (2) the child's level of English proficiency, including how the level was assessed and the status of the child's academic achievement; (3) the method of instruction that will be used in the program, including a description of other alternative programs; (4) how the program will meet the educational strengths and needs of the child; (5) how the program will help the child learn English and meet academic achievement standards; (6) the program exit requirements, including the expected rate of transition and the expected rate of graduation from secondary school; (7) how a program will meet the objectives of an individualized education program for a child with a disability; and (8) information pertaining to parental rights as prescribed by law.

Q: Does the parent have the right to refuse placement of their child in a language instruction educational program?

A: The grantee must provide parents with the required information under Section 3302 of ESEA Title III (parental notification). Parents have a right to have their child removed from such a program. The parents also

have the right to choose another program or method of instruction, if available.

LOCAL REPORTING REQUIREMENTS

Q: What are the reporting requirements for grantees that receive a Title III, Native American and Alaskan Native Children in School grant?

A: Grantees under the Native American and Alaska Native Children in School Program must provide to the Secretary an annual performance report for continuation award purposes, and a final performance report (34 CFR 80.40(a)(1)-(4), (d), and (e) and 34 CFR 80.41). These reports must contain information regarding each objective. If possible quantified results should be reported depending on the content of the objective. An explanation is needed when an objective target for that performance year is not met. Disclosure must include a statement of the action to be taken or contemplated and any assistance needed to resolve the situation. Budgetary information in the form of a line item budget and budget narrative must also accompany the report [34 CFR 80.40(b)(2)(iii)].

DEFINITIONS:

Q: How do you define "language instruction educational program?"

A: "Language instruction educational program" means an instruction course in which LEP students are placed for the purpose of developing and attaining English proficiency, while meeting challenging State academic content and student academic achievement standards. A language instruction educational program may make use of both English and a child's native language to enable the child to develop and attain English proficiency. Programs may include the participation of English proficient children in addition to LEP students if such a program enables participating students to become proficient in English and a second language.

Q: What is the definition of "Native American" and "Native American Language?"

A: The terms "Native American" and "Native American Language" are defined, under Section 3301(9) of ESEA to have the same meaning as those terms have under Section 103 of the Native American Languages Act. Under that Act, these terms are defined as follows. "Native American" means an Indian, Native Hawaiian, or Native American Pacific Islander. "Native American language" means the historical, traditional language spoken by Native Americans.

Q: What does the term "Indian tribe" mean?

A: "Indian tribe" means any Indian tribe, band, nation, or other organized group or community, including any Native village or Regional Corporation or Village Corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. (ESEA Section 3301 (7)).

Q: What is a "Native Hawaiian or Native American Pacific Islander Educational Organization"?

A: "Native Hawaiian or Native American Pacific Islander native language educational organization" means a nonprofit organization with –

(A) a majority of its governing board and employees consisting of fluent speakers of the traditional Native American languages used in the organization's educational programs; and

(B) not less than 5 years successful experience in providing educational services in traditional Native American languages. (ESEA Section 3301 (10))

Q: What is a tribally sanctioned education authority?

A: The term "tribally sanctioned educational authority" means–

(A) Any department or division of education operating within the administrative structure of the duly constituted governing body of an Indian tribe; and

(B) Any nonprofit institution or organization that is –

(i) Chartered by the governing body of an Indian tribe to operate a school described in section 3112(a) or otherwise to oversee the delivery of educational services to members of the tribe; and

(ii) Approved by the Secretary for the purpose of carrying out programs under subpart 1 of part A for individuals served by a school described in section 3112(a). (ESEA Section 3301 (15)).

Q: What is meant by "equitable" participation by public and private school students and educational personnel in a Title III program?

A: Participation is considered to be equitable if the LEA (1) assesses, addresses and evaluates the needs and progress of public and private school students and educational personnel on a comparable basis; (2) provides, in the aggregate, approximately the same amount of services to students and educational personnel with similar needs; (3) spends an equal amount of funds to serve similar public and private school students and educational personnel; and (4) provides both groups of students and educational personnel equal opportunities to participate in program activities.